

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MELISSA COOK,

Plaintiff,
-against-

**MEMORANDUM AND
ORDER**

MMC EAST, LLC, BRIAN MILLER, JOHN
KAUFMAN, and SHAUN TJEPKEMA,

20-CV-5717 (SIL)

Defendants.
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STEVEN I. LOCKE, United States Magistrate Judge:

On October 31, 2023, in this wage and hour action brought pursuant to the Fair Labor Standards Act of 1938 (“FLSA”), 29 U.S.C. § 201 *et seq.*, the New York Labor Law (“NYLL”), N.Y. Lab. Law § 190 *et seq.*, and the New York State Human Rights Law (“NYSHRL”), N.Y. Exec. Law § 296 *et seq.*, the Court heard argument on the oral motion submitted by Plaintiff Melissa Cook and Defendants MMC East, LLC, Brian Miller, John Kaufman and Shaun Tjepkema seeking approval of a wage claim Settlement Agreement and Release (the “Settlement Agreement”),¹ *see* DE [60], and conducted a fairness hearing on the Settlement Agreement pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206 (2d Cir. 2015). *See* DE [59].

Having reviewed the Settlement Agreement and considered the parties’ presentations at oral argument, the Court finds that the Settlement Agreement’s terms are fair and reasonable. *See Wolinsky v. Scholastic Inc.*, 900 F. Supp. 2d 332, 335 (S.D.N.Y. 2012) (requiring that a district court scrutinize an FLSA settlement

¹ This action has been assigned to this Court for all purposes pursuant to 28 U.S.C. § 636(c). *See* Consent to Jurisdiction, Docket Entry (“DE”) [62].

agreement to determine that it is fair and reasonable). Accordingly, the Settlement Agreement is approved, and the Clerk of the Court is directed to close this case. The Court will retain jurisdiction over this case in the event there is an issue concerning performance under the settlement agreements.

Dated: Central Islip, New York
November 1, 2023

SO ORDERED.

/s/ Steven I. Locke
STEVEN I. LOCKE
United States Magistrate Judge